

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 99-mj-00084-MPT
	:	
KRZYSZTOF MIKUS,	:	
	:	
Defendant.	:	

MOTION FOR RETURN OF PASSPORT

The defendant, Krzysztof Mikus, through undersigned counsel Cathy A. Jenkins, Esq., hereby moves this Court to issue an Order to return Mr. Mikus' passport.

In support of this motion the defense submits the following:

1. On August 5, 1999, Krzysztof Mikus was arrested on the charge of knowingly receiving, possessing, concealing and disposing of a motor vehicle which had crossed state lines.
2. On August 6, 1999, at Mr. Mikus' initial appearance, U.S. Magistrate Judge Mary Pat Thyng ordered as a condition of pre-trial release, that Mr. Mikus surrender his passport to the U.S. Clerk's Office for the District of Delaware.
3. Pursuant to Magistrate Judge Thyng's order, Mr. Mikus surrendered his passport to the U.S. Clerk's Office for the District of Delaware.
4. On August 13, 1999, at Mr. Mikus' Preliminary Hearing, the court found no probable cause to believe that an offense had been committed or that Mr. Mikus committed an offense and ordered the dismissal of the complaint.

5. As of today, Mr. Mikus' passport is in the custody of the U.S. Clerk's Office for the District of Delaware.

6. Mr. Mikus respectfully requests that the Court release his passport to the Federal Defender's Office's custody in order to return the passport to Mr. Mikus.

7. Edmond Falgowski, attorney for the government, does not object to Mr. Mikus' request.

WHEREFORE, for the above stated reasons and any other such reasons that shall appear to the Court, it is respectfully requested that Krzysztof Mikus' passport be released to counsel's custody so that it may be returned to Mr. Mikus.

Respectfully Submitted,

/s/
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